

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOC #:
DATE FILED: 8/7/09

TRAVELERS INDEMNITY COMPANY OF
CONNECTICUT a/s/o Vanbro Corporation and other
interested insureds under the policy of insurance,

Plaintiffs,

-against-

LIEBHERR CRANES, INC. and
LIEBHERR NENZING CRANE CO.

Defendants.

08-CV-06872-LAP

**CASE MANAGEMENT
PLAN**

I. Description of the case

- a. Identify the attorneys of record for each party, including lead trial attorney.

For Plaintiff TRAVELERS INDEMNITY COMPANY OF
CONNECTICUT a/s/o Vanbro Corporation and other interested
insureds under the policy of insurance.

Robert C. Sheps – Lead Trial Attorney
Sheps Law Group, P.C.
35 Pinelawn Road
Melville, NY 11747
631 249-5600
631 249-5613 (fax)
Rsheps@shepslaw.com

For Defendants LIEBHERR CRANES, INC. and
LIEBHERR NENZING CRANE CO.:

Ronald Joseph, Esq.
Landman Corsi Ballaine & Ford, P.C.
120 Broadway, 27th Floor
New York, New York 10271
(212) 238-4800
(212) 238-4848 (fax)
RJoseph@lcbf.com

b. State the basis for federal jurisdiction.

Diversity of citizenship.

c. Briefly describe the claims asserted in the complaint and any counterclaims.

Plaintiff has alleged property damage as a result of a fire to a crane based upon claims of Negligence, Strict Products Liability and Breach of Warranty against the defendant crane companies Liebherr Cranes and Liebherr Nenzing Crane

d. Describe the relief sought.

Plaintiff seeks compensatory damages based upon alleged loss and/or destruction of the subject crane in an amount of \$1,000,284.87

II. Proposed Case Management Plan

a. Identify all pending motions: None at this time.

b. Proposed cutoff date for joinder of additional parties: November 1, 2009.

c. Proposed cutoff date for amendments to the pleadings: November 1, 2009.

d. Proposed schedule for completion of discovery, including:

i. Rule 26(a)(1) disclosures to be completed: Already Completed.

ii. Discovery Demands and Interrogatories to be served: Already Completed.

iii. Responses to Demands and Interrogatories: Already Completed

iv. Fact Discovery Completion Date: January 31, 2010

v. Expert discovery completion date, including dates for delivery of expert reports:

By Plaintiff: March 8, 2010

By Defendants: April 14, 2010

e. ~~Proposed~~ date for filing dispositive motions:

requesting pre-motion conference for
April 28, 2010

- e. Proposed date for filing a final pretrial order: May 31, 2010
- f. Proposed trial schedule, indicating:
- i. Whether a jury is requested: Yes
- ii. The estimated length of the trial: 3-4 days
- iii. Date when case will be ready for trial: _____

III. ~~The parties consent to proceed before a Magistrate Judge.~~

IV. Status of Settlement Discussions

- a. To date, no settlement discussions have taken place.
- b. Describe the status of settlement discussion: n/a
- c. Whether the parties request a settlement conference: Yes

than January 31, 2010 as to the status of settlement discussions
Counsel shall report to the Court by letter no later than January 31, 2010 as to the status of settlement discussions

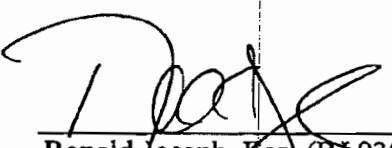
NEXT CASE MANAGEMENT CONFERENCE

Dated: August 5, 2009
Melville, NY

SO ORDERED


HON. LORETTA A. PRESKA
United States District Judge,


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